

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

WESTERN EXPRESS, INC, et al.,

Plaintiffs,

v.

COLTON AHMAD CATHEY, et al.,

Defendants.

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No. 2:24-cv-02139-SHL-atc

**ORDER GRANTING PLAINTIFFS' MOTION TO EXTEND DEADLINE TO SERVE
DEFENDANTS SHEREA MITCHELL AND TIERRA OWENS**

Plaintiffs request an extra sixty days to serve Defendants Sherea Mitchell and Tierra Owens. (ECF No. 135.) They filed their amended complaint joining Mitchell and Owens as Defendants on May 2, 2025. (ECF No. 101.) Since then, Plaintiffs have attempted service many times, to no avail. (ECF No. 135 at PageID 2221.) They state that they have used multiple different process servers, sent formal requests for waiver of service, and even communicated with counsel for Defendant S-Line, LLC, who previously represented Mitchell and Owens at their respective depositions. (*Id.*) Plaintiffs' deadline to effectuate service was July 31, and they were unable to do so before then. *See* Fed. R. Civ. P. 4(m). Thus, they request to extend their deadline to September 29. (ECF No. 135 at PageID 2223.) Defendants do not oppose Plaintiffs' request. (ECF No. 139 at PageID 2269–70.)

A court may extend the time to effectuate service if the plaintiff can show “good cause” for their failure to do so within the original ninety-day window. Fed. R. Civ. P. 4(m). For good cause shown, Plaintiffs' motion is **GRANTED**. Plaintiffs must serve Mitchell and Owens by **September 29**.

IT IS SO ORDERED, this 1st day of August, 2025.

s/ Sheryl H. Lipman

SHERYL H. LIPMAN

CHIEF UNITED STATES DISTRICT JUDGE